

REMARKS

Claims 1, 2, 4 and 5-14 are currently pending in this application. The support for the new claims 6-14 can be found in the originally filed specification, for example, at least at paragraphs [0046], [0049], [0059], [0070], [0071], [0090], [0097] of the corresponding published application and throughout the examples. No new matter has been added by this amendment.

Claim rejections under 35 USC § 103

Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent No. 2003-201306 (using the translation of U.S Patent No. 7,317,056) to Yoshimura et al. in view of U.S. Patent Application Publication No. 2003/0153877 to Nawata et al., in further view of U.S. Patent No. 3,691,108 to Ichiki et al. (Office Action, page 3)

The rejection alleges that the claims as an obvious combination of the shell forming process of Yoshimura with the absorbent core of the Nawata water-absorbing resin and the anionic surfactant of Ichiki.

The rejection describes Yoshimura as teaching a method for forming core/shell particles comprising first forming a shell layer from a mixture of deionized water, acrylic acid, 2-hydroxyethylacrylate, and ammonium persulfate initiation and applying said shell layer to a core monomer mixture produced in the presence of the shell. The rejection states that Yoshimura is silent to the inclusion of a cross linking agent in the methacrylic (core) solution. The rejection relies on the core materials of Nawata to provide core materials. The rejection further relies on Ichiki to provide surfactants of the instantly claimed formula.

Applicants respectfully disagree. Applicants respectfully believe that the teachings of Yoshimura have been mischaracterized. Specifically, Yoshimura states that “when a synthetic resin emulsion containing polymer particles having a core/shell structure comprising a shell produced by polymerizing an unsaturated carboxylic acid and a hydrophilic comonomer and a core produced by conducting polymerization in the presence of the shell is used as a main component of a pressure-sensitive adhesive composition, the pressure-sensitive adhesive composition has excellent fundamental adhesive properties that can be easily swollen with water.” (Column 2, lines 43-52). ***Applicants contend that this is a clear teaching away from***

the polymerization of the core material before the inclusion of the shell materials. Indeed, Applicants contend that this is a clear teaching away from the instantly claimed method in which the core is formed before the inclusion and polymerization of the shell portion.

As such, one of ordinary skill in the art, in light of the teaching of Yoshimura of the excellent fundamental adhesive properties achieved by polymerizing the core in the presence of the shell material, would have had no motivation to modify the teachings of Yoshimura to arrive at the claimed invention. Furthermore, even if one of ordinary skill in the art were to utilize the materials of Nawata as the core materials with the surfactants of Ichiki, there would have been no motivation, based on Yoshimura, to prepare the core material before the inclusion of the shell materials as claimed.

Accordingly, reconsideration and withdrawal of all rejections under 35 U.S.C. § 103 are respectfully requested.

CONCLUSION

In view of the amendments and remarks made herein, the application is believed to be in condition for allowance. Favorable reconsideration of the application and prompt issuance of a Notice of Allowance are respectfully requested. Please charge any required fee or credit any overpayment to Deposit Account No. 04-1105, under Order no. 80364 (47762).

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Respectfully submitted,

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